



Senate Bill No. 185

Public Act No. 16-28

**AN ACT CONCERNING REPORTING REQUIREMENTS AND
MINOR AND TECHNICAL REVISIONS TO THE GENERAL
STATUTES AFFECTING THE DEPARTMENT OF CHILDREN AND
FAMILIES.**

Be it enacted by the Senate and House of Representatives in General Assembly convened:

Section 1. Subsection (b) of section 17a-3 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(b) (1) The department, with the assistance of the State Advisory Council on Children and Families, and in consultation with representatives of the children and families served by the department, providers of services to children and families, advocates, and others interested in the well-being of children and families in this state, shall develop and regularly update a single, comprehensive strategic plan for meeting the needs of children and families served by the department. In developing and updating the strategic plan, the department shall identify and define agency goals and indicators of progress, including benchmarks, in achieving such goals. The strategic plan shall include, but not be limited to: (A) The department's mission statement; (B) the expected results for the department and each of its mandated areas of responsibility; (C) a schedule of action steps and a

Senate Bill No. 185

time frame for achieving such results and fulfilling the department's mission that includes strategies for working with other state agencies to leverage resources and coordinate service delivery; (D) priorities for services and estimates of the funding and other resources necessary to carry them out; (E) standards for programs and services that are based on research-based best practices, when available; and (F) relevant measures of performance.

(2) The department shall begin the strategic planning process on July 1, 2009. The department shall hold regional meetings on the plan to ensure public input and shall post the plan and the plan's updates and progress reports on the department's web site. The department shall submit the strategic plan to the State Advisory Council on Children and Families for review and comment prior to its final submission to the General Assembly and the Governor. On or before July 1, 2010, the department shall submit the strategic plan, in accordance with section 11-4a, to the General Assembly and the Governor.

(3) The commissioner shall track and report on progress in achieving the strategic plan's goals not later than October 1, 2010, and quarterly thereafter, to said State Advisory Council. The commissioner shall submit a status report on progress in achieving the results in the strategic plan, in accordance with section 11-4a, not later than July 1, 2011, and annually thereafter to the General Assembly, the joint standing committee of the General Assembly having cognizance of matters relating to children and the Governor.

Sec. 2. Subsection (c) of section 17a-6b of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(c) Not later than February 4, 2004, and annually thereafter, the Commissioner of Children and Families shall report, in accordance

Senate Bill No. 185

with the provisions of section 11-4a, to the joint standing committees of the General Assembly having cognizance of matters relating to the judiciary [, human services] and children with respect to the Connecticut Juvenile Training School.

Sec. 3. Section 17a-6c of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(a) On or before June 1, 2004, and annually thereafter, the Department of Children and Families shall report, in accordance with section 11-4a, to the joint standing committees of the General Assembly having cognizance of matters relating to criminal law [,] and children [and the Department of Children and Families] on: (1) The number of adjudicated youths, by gender and age, in the care and custody of the department, (2) the facilities in which such youths are being housed, (3) the number, age and gender of such youths who have left department custody in an unauthorized manner, (4) the number of police reports filed with respect to such youths, and (5) the status of new construction or preparation of facilities to house adjudicated youths in the care and custody of the department.

(b) The report required by subsection (a) of this section shall be attached to the annual report required to be filed by the Commissioner of Children and Families pursuant to subsections (c) and (d) of section 17a-6b, as amended by this act.

Sec. 4. Section 17a-10c of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(a) For purposes of this section, "Youth Advisory Board" means a board established by each Department of Children and Families regional office that is comprised of youth in out-of-home care.

(b) The Commissioner of Children and Families shall meet with the members of each Youth Advisory Board to gather recommendations

Senate Bill No. 185

for and to draft a "Sibling Bill of Rights", which may include, but not be limited to, ways to protect the relationships of siblings separated as a result of said commissioner's intervention and an affirmation by the department of its commitment to preserve the relationships between siblings who have been separated from each other while under department care. On or before October 1, 2013, the commissioner and members of the Youth Advisory Boards shall submit the Sibling Bill of Rights to the [select] joint standing committee of the General Assembly having cognizance of matters relating to children for consideration of possible legislative action.

(c) The Commissioner of Children and Families shall incorporate the final version of the Sibling Bill of Rights into department policy and share such policy with each child placed in the care and custody of the commissioner pursuant to an order of temporary custody or an order of commitment.

Sec. 5. Section 17a-22m of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

The Commissioners of Children and Families, Social Services and Mental Health and Addiction Services shall conduct an annual evaluation of the Behavioral Health Partnership and shall report, in accordance with section 11-4a, to the joint standing committees of the General Assembly having cognizance of matters relating to appropriations and the budgets of state agencies, public health, [and] human services and children on the provision of behavioral health services under the Behavioral Health Partnership, including information on the status of any administrative services organization implementation, the status of the collaboration among the Departments of Children and Families, Social Services and Mental Health and Addiction Services, the services provided, the number of persons served, program outcomes and spending by child and adult populations.

Senate Bill No. 185

Sec. 6. Section 17a-62 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

On or before February 1, 2010, and annually thereafter, the Commissioner of Children and Families shall submit a report, in accordance with the provisions of section 11-4a, to the joint standing [committees] committee of the General Assembly having cognizance of matters relating to [human services and] children. The report shall include the following information, for the preceding calendar year, for children and youth in the custody of the Department of Children and Families: (1) The number and age of such children and youth who are living in a psychiatric hospital or out-of-state residential treatment center, the average length of stay for such children and youth, the number of children and youth who have overstayed their estimated placement time in such placements and an analysis of the reasons for the placements out of state and overstay; (2) the number and age of such children and youth who are runaways or homeless, including (A) the number of episodes of unauthorized absence from the department's care for one full day or more; (B) the total number of children and youth involved in such episodes and, of that number, (i) the number of children and youth having one such episode, (ii) the number of children and youth having two such episodes, (iii) the number of children and youth having three such episodes, and (iv) the number of children and youth having more than three such episodes; (C) the average number of children and youth who, without authorization, are absent from the department's care each day; (D) the number of children and youth having an episode of unauthorized absence from the department's care according to age group as follows: Those (i) under six years of age, (ii) six to nine years of age, (iii) ten to twelve years of age, (iv) thirteen to fifteen years of age, and (v) sixteen or seventeen years of age; (E) the number of days of unauthorized absence from the department's care according to the period of time absent as follows: (i) Less than two days, (ii) three to seven days, (iii)

Senate Bill No. 185

eight to fourteen days, (iv) fifteen to thirty days, (v) thirty-one to sixty days, (vi) sixty-one to one hundred twenty days, (vii) one hundred twenty-one to one hundred eighty days, and (viii) more than one hundred eighty days; (F) an analysis of the trends relating to runaways and homelessness; and (G) a description of the strategies employed and policies implemented by the department to address runaways and homelessness and to reduce the number and duration of episodes of absence from the department's care; (3) the number and age of children and youth who have a permanency plan of another planned permanency living arrangement and an analysis of the trends relating to permanency plans; and (4) the number and age of children and youth who have refused services offered by the department and an analysis of the trends relating to participation in services. The commissioner shall conduct case and service reviews for each child in the groups described in subdivisions (1) to (4), inclusive, of this section.

Sec. 7. Section 17a-63a of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

The Commissioner of Children and Families shall (1) determine measurable outcomes for each type of service provided by a private provider pursuant to such provider's contract with the Department of Children and Families; (2) incorporate such outcomes into the department's contract with each such provider; and (3) include achievement of such outcomes and other quality indicators in annual evaluations of each such provider. The department shall, annually, submit a report, in accordance with section 11-4a, to the joint standing committee of the General Assembly having cognizance of matters relating to [human services] children on the department's progress in implementing such steps, including (A) the number of service types with outcomes, (B) the types of outcomes, (C) the incorporation of such outcomes into contracts, and (D) the application of outcome

Senate Bill No. 185

information into quality improvement.

Sec. 8. Section 4-68s of the 2016 supplement to the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(a) Not later than January 1, 2016, and not later than October first in every even-numbered year thereafter, the Departments of Correction, Children and Families and Mental Health and Addiction Services, and the Court Support Services Division of the Judicial Branch shall compile a program inventory of each of said agency's criminal and juvenile justice programs and shall categorize them as evidence-based, research-based, promising or lacking any evidence. Each program inventory shall include a complete list of all agency programs, including the following information for each such program for the prior fiscal year: (1) A detailed description of the program, (2) the names of providers, (3) the intended treatment population, (4) the intended outcomes, (5) the method of assigning participants, (6) the total annual program expenditures, (7) a description of funding sources, (8) the cost per participant, (9) the annual number of participants, (10) the annual capacity for participants, and (11) the estimated number of persons eligible for, or needing, the program.

(b) Each program inventory required by subsection (a) of this section shall be submitted in accordance with the provisions of section 11-4a to the Criminal Justice Policy and Planning Division within the Office of Policy and Management, the joint standing committees of the General Assembly having cognizance of matters relating to children, appropriations and the budgets of state agencies and finance, revenue and bonding, the Office of Fiscal Analysis, and the Institute for Municipal and Regional Policy at Central Connecticut State University.

(c) Not later than March 1, 2016, and annually thereafter by November first, the Institute for Municipal and Regional Policy at

Senate Bill No. 185

Central Connecticut State University shall submit a report containing a cost-benefit analysis of the programs inventoried in subsection (a) of this section to the Criminal Justice Policy and Planning Division of the Office of Policy and Management, the joint standing committees of the General Assembly having cognizance of matters relating to children, appropriations and the budgets of state agencies and finance, revenue and bonding, and the Office of Fiscal Analysis, in accordance with the provisions of section 11-4a.

(d) The Office of Policy and Management and the Office of Fiscal Analysis may include the cost-benefit analysis provided by the Institute for Municipal and Regional Policy under subsection (c) of this section in their reports submitted to the joint standing committees of the General Assembly having cognizance of matters relating to children, appropriations and the [budget] budgets of state agencies [,] and finance, revenue and bonding on or before November fifteenth annually, pursuant to subsection (b) of section 2-36b.

Sec. 9. Subsection (o) of section 45a-715 of the 2016 supplement to the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(o) For any child who is the subject of a petition for adoption under this chapter, the court shall consider the appropriateness of postadoption communication or contact with a sibling of such child, including, but not limited to, visitation, written correspondence or telephone calls. If the court determines such postadoption communication or contact is in the best interest of the child, the court shall order that such child [has] have access to and visitation rights with such sibling until the child reaches eighteen years of age.

Sec. 10. Subsection (a) of section 17a-117 of the 2016 supplement to the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

Senate Bill No. 185

(a) The Department of Children and Families may, and is encouraged to, contract with child-placing agencies to arrange for the adoption of children who are free for adoption. If (1) a child for whom adoption is indicated, cannot, after all reasonable efforts consistent with the best interests of the child, be placed in adoption through existing sources because the child is a special needs child, and (2) the adopting family meets the standards for adoption which any other adopting family meets, the Commissioner of Children and Families shall, before adoption of such child by such family, certify such child as a special needs child and, after adoption, provide one or more of the following subsidies for the adopting parents: (A) A special-need subsidy, which is a lump sum payment paid directly to the person providing the required service, to pay for an anticipated expense resulting from the adoption when no other resource is available for such payment; or (B) a periodic subsidy which is a payment to the adopting family; and (C) in addition to the subsidies granted under this subsection, any medical benefits which are being provided prior to final approval of the adoption by the superior court for juvenile matters or the Probate Court in accordance with the fee schedule and payment procedures under the state Medicaid program administered by the Department of Social Services shall continue as long as the child qualifies as a dependent of the adoptive parent under the provisions of the Internal Revenue Code. The amount of a periodic subsidy shall not exceed the current costs of foster maintenance care.

Sec. 11. Subsection (a) of section 17a-126 of the 2016 supplement to the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(a) As used in this section, (1) "caregiver" means (A) a fictive kin caregiver, as defined in section 17a-114, who is caring for a child, or (B) a person who is a licensed foster care provider pursuant to section 17a-114 and is caring for a child who is related to such person [,] because

Senate Bill No. 185

the parent of the child has died or become otherwise unable to care for the child for reasons that make reunification with the parent and adoption not viable options within the foreseeable future, and (2) "commissioner" means the Commissioner of Children and Families.

Sec. 12. Subsection (b) of section 17a-10b of the 2016 supplement to the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(b) The notice provided pursuant to subsection (a) of this section shall include: (1) A statement that the child has been removed from the custody of a parent; (2) a summary of the relative's rights under federal and state law to participate in the care and placement of the child, including any options that may be deemed waived through failure to respond to such notice; (3) a description of the requirements to become licensed or approved as a foster family home and the additional services and supports that are available for a child placed in such home; and (4) a description of how the caregiver of the child may subsequently enter into an agreement with the department to receive subsidies for the provision of foster care.

Sec. 13. Subsection (b) of section 17a-11 of the 2016 supplement to the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(b) A child or youth voluntarily admitted to the department shall be deemed to be within the care of the commissioner until such admission is terminated. The commissioner shall terminate the admission of any child or youth voluntarily admitted to the department within ten days after receipt of a written request for termination from a parent or guardian of any child under fourteen years of age or from a child if such child is fourteen years of age or older, or youth, unless prior to the expiration of that time the commissioner has sought and received from the Superior Court an order of temporary custody as provided by

Senate Bill No. 185

law. Except as provided in subsection (i) of this section, the commissioner may terminate the admission of any child or youth voluntarily admitted to the department after (1) giving reasonable notice in writing to (A) the parent or guardian of any child or youth, and (B) the child, if such child is fourteen years of age or older, or youth, and (2) if the commissioner has previously petitioned the Probate Court pursuant to subsection (c) of this section, providing notice to the Probate Court of such petition. Any child or youth admitted voluntarily to the department may be placed in, or transferred to, any resource, facility or institution within the department or available to the commissioner except the Connecticut Juvenile Training School, provided the commissioner shall give written notice to such child or youth and to the parent or guardian of the child of the commissioner's intention to make a transfer at least ten days prior to any actual transfer, unless written notice is waived by those entitled to receive it, or unless an emergency commitment of such child or youth is made pursuant to section 17a-502. Any child or youth admitted voluntarily to the department may be transferred to the supervision of the Department of Mental Health and Addiction Services or the Department of Developmental Services, in collaboration with the commissioner of the department to which the child is transferred. The Commissioner of Children and Families shall provide written notice of his or her intention to make a transfer at least ten days prior to any actual transfer to a child fourteen years of age or older, or youth, and to the parent or guardian of the child or youth being transferred. If the department has previously filed a petition with the Probate Court under subsection (c) of this section, the commissioner shall provide notice of such petition to the court. The Commissioner of Children and Families may continue to provide services to the child or youth in collaboration with the department to which the child or youth has been transferred or may terminate the voluntary services if, in the commissioner's discretion, the department to which the child or youth has been transferred provides adequate

Senate Bill No. 185

services. The commissioner shall provide written notice of his or her intention to terminate services following a transfer to another department to a child fourteen years of age or older, or youth, and to the parent or guardian of such child or youth. If the department has previously filed a petition with the Probate Court under subsection (c) of this section, the commissioner shall provide notice of such petition to the court.

Sec. 14. Subsection (d) of section 17a-10a of the 2016 supplement to the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2016*):

(d) The commissioner shall include in each child's [plan of treatment] case record information relating to the factors considered in making visitation determinations pursuant to this section. If the commissioner determines that such visits are not in the best interests of the child, that the occurrence of, on average, not less than one visit per week with his or her sibling is not in the best interests of each sibling, or that the number, frequency or duration of the visits requested by the child's attorney or guardian ad litem is not in the best interests of the child, the commissioner shall include the reasons for such determination in the child's [plan of treatment] case record.

Sec. 15. Subsection (k) of section 17a-112 of the 2016 supplement to the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2016*):

(k) Except in the case where termination is based on consent, in determining whether to terminate parental rights under this section, the court shall consider and shall make written findings regarding: (1) The timeliness, nature and extent of services offered, provided and made available to the parent and the child by an agency to facilitate the reunion of the child with the parent; (2) whether the Department of Children and Families has made reasonable efforts to reunite the

Senate Bill No. 185

family pursuant to the federal [Adoption Assistance and Child Welfare Act of 1980, as amended] Adoption and Safe Families Act of 1997, as amended from time to time; (3) the terms of any applicable court order entered into and agreed upon by any individual or agency and the parent, and the extent to which all parties have fulfilled their obligations under such order; (4) the feelings and emotional ties of the child with respect to the child's parents, any guardian of such child's person and any person who has exercised physical care, custody or control of the child for at least one year and with whom the child has developed significant emotional ties; (5) the age of the child; (6) the efforts the parent has made to adjust such parent's circumstances, conduct, or conditions to make it in the best interest of the child to return such child home in the foreseeable future, including, but not limited to, (A) the extent to which the parent has maintained contact with the child as part of an effort to reunite the child with the parent, provided the court may give weight to incidental visitations, communications or contributions, and (B) the maintenance of regular contact or communication with the guardian or other custodian of the child; and (7) the extent to which a parent has been prevented from maintaining a meaningful relationship with the child by the unreasonable act or conduct of the other parent of the child, or the unreasonable act of any other person or by the economic circumstances of the parent.

Sec. 16. Section 17a-5 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2016*):

In accordance with the provisions of sections 4-5 to 4-8, inclusive, the Governor shall, after consultation with the Council on Children and Families, appoint a Commissioner of Children and Families who shall be the administrative head of the department. [He] The commissioner shall devote his or her full time to the duties of his or her office.

Senate Bill No. 185

Sec. 17. Subsection (b) of section 17a-8 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2016*):

(b) If the commissioner finds that a child or youth committed to [his] the commissioner's custody as delinquent who is fourteen years of age or older cannot benefit from continued school attendance and if the commissioner further finds that such person may benefit from part or full-time employment at some useful occupation, the commissioner may place the child or youth on vocational parole, under the supervision of an employee of the department. For the purposes of this section, the limitations of subsection (a) of section 31-23, on the employment of minors under the age of sixteen years, shall not apply for the duration of such vocational parole.

Sec. 18. Subsection (c) of section 17a-10 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2016*):

(c) When deemed in the best interests of a child in the custody of the commissioner, the commissioner, [his] the commissioner's designee, a superintendent or assistant superintendent or, when the child is in transit between department facilities, a designee of the commissioner, may authorize, on the advice of a physician licensed to practice in the state, medical treatment, including surgery, to insure the continued good health or life of the child. Any of said persons may, when he or she deems it in the best interests of the child, authorize, on the advice of a dentist licensed to practice in the state, dentistry, including dental surgery, to insure the continued good health of the child. Upon such authorization, the commissioner shall exercise due diligence to inform the parents or guardian prior to taking such action, and in all cases shall send notice to the parents or guardian by letter to their last-known address informing them of the actions taken, of their necessity and of the outcome, but in a case where the commissioner fails to

Senate Bill No. 185

notify, such failure will not affect the validity of the authorization.

Sec. 19. Section 17a-13 of the 2016 supplement to the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2016*):

Any person committed to the Department of Children and Families who is transferred to the John R. Manson Youth Institution, Cheshire, or the York Correctional Institution, pursuant to section 17a-12, shall be deemed, while so transferred, to be under the jurisdiction of the Department of Correction except that the Commissioner of Children and Families shall retain his or her powers to remove such person and to place [him] such person in another facility or in the community or to terminate the commitment. The jurisdiction of the Department of Correction shall terminate upon the expiration of the commitment as provided in subsection (a) of section 17a-8.

Sec. 20. Section 17a-14 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2016*):

Each child or youth in the custody of the Commissioner of Children and Families due to behavioral problems, and served by an approved residential treatment facility with special education programs, may continue in such facility beyond eighteen years of age until his or her program is completed. The Commissioner of Mental Health and Addiction Services shall be responsible for the payment of board and care costs for any child or youth who remains in an approved residential treatment facility with special education programs beyond eighteen years of age pursuant to this section provided such child or youth meets the eligibility requirements established by the commissioner.

Sec. 21. Section 17a-15a of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2016*):

Senate Bill No. 185

The Department of Children and Families shall include the following information in each document of the department entitled study in support of permanency plan and status report for permanency planning team, except when otherwise directed by the Juvenile Court: (1) A description of any problems or offenses that necessitated the placement of the child with the department; (2) a description of the type and an analysis of the effectiveness of the care, treatment and supervision that the department has provided for the child; (3) for each child in substitute care, the current visitation schedule between the child and his or her parents and siblings; (4) a description of every effort taken by the department to reunite the child with a parent or to find a permanent placement for the child, including, where applicable, every effort to assist each parent in remedying factors that contributed to the removal of the child from the home; (5) a proposed timetable for reunification of the child and a parent, a permanent placement if continued substitute care is recommended or a justification of why extended substitute care is necessary; and (6) whether the child has been visited no less frequently than every three months by a state or private agency if the child has been placed in foster care outside this state.

Sec. 22. Section 17a-16 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2016*):

(a) No child or youth placed or treated under the direction of the Commissioner of Children and Families in any public or private facility shall be deprived of any personal, property or civil rights, except in accordance with due process of law.

(b) Each child or youth placed or treated under the direction of the Commissioner of Children and Families in any public or private facility shall receive humane and dignified treatment at all times, with full respect for his or her personal dignity and right to privacy, consistent with his or her treatment plan as determined by the

Senate Bill No. 185

commissioner.

(c) (1) Each child and youth shall be permitted to communicate with any individual, group or agency, consistent with his or her treatment objectives as determined by the Commissioner of Children and Families.

(2) Each public or private facility under the direction of the Commissioner of Children and Families shall furnish writing materials and postage to any child or youth desiring them.

(3) A child or youth shall be permitted to make or receive telephone calls to or from his or her attorneys at any reasonable time. Public telephones shall be made available in appropriate locations.

(d) (1) The Commissioner of Children and Families shall adopt regulations, in accordance with chapter 54, with respect to each facility or institution under [his] the commissioner's jurisdiction, to specify the following: (A) When a child or youth may be placed in restraint or seclusion or when force may be used upon a child or youth; (B) when the head of a facility may limit the use or receipt of mail by any child or youth and a procedure for return of unopened mail; and (C) when the head of a facility may restrict the use of a telephone by any child or youth.

(2) A copy of any order placing a child or youth in restraint or seclusion in accordance with the regulations adopted in subdivision (1) of this subsection shall be made a part of the child's or youth's permanent clinical record. Any special restriction on the use or receipt of mail or telephone calls made in accordance with the regulations adopted in subdivision (1) of this subsection, shall be noted in writing, signed by the head of the facility, and made a part of the child's or youth's permanent clinical record.

(e) (1) Each child or youth shall be permitted to receive visitors

Senate Bill No. 185

subject to reasonable restrictions consistent with the child's or youth's treatment objectives. The head of each facility shall establish visiting hours and inform all children and youths and their families and other visitors of these hours. Any special restriction shall be noted in writing, signed by the head of the facility, and made a part of the child's or youth's permanent clinical record.

(2) Each child or youth may receive his or her clergyman and attorney at any reasonable time.

(f) No person shall be denied employment, housing, civil service rank, any license or permit, including a professional license, or any other civil or legal right, solely because of a present or past placement with the Commissioner of Children and Families except as otherwise provided by statute.

(g) Each child or youth under the supervision of the Commissioner of Children and Families shall have the right to counsel of his or her own choosing, and the right to receive visits from physicians and mental health professionals as may be arranged by his or her counsel.

(h) Each child or youth shall have a right to a hearing pursuant to procedures adopted by the commissioner, in accordance with sections 4-176e to 4-181a, inclusive, before he or she is involuntarily transferred by the Commissioner of Children and Families to any facility outside the state of Connecticut.

(i) Any child or youth aggrieved by a violation of subsections (a) to (h), inclusive, of this section, may petition the superior court for the venue district provided in section 46b-142 within which the child or youth is or resides for appropriate relief, including temporary and permanent injunctive relief. Such petition shall be treated as a juvenile matter.

Sec. 23. Subsection (b) of section 17a-25 of the general statutes is

Senate Bill No. 185

repealed and the following is substituted in lieu thereof (*Effective October 1, 2016*):

(b) Each superintendent or director shall be the administrative head of his or her respective institution or division and shall be responsible for the organization of its work and for the direction and coordination of its various activities. He or she shall appoint all members of the staff subject to the approval of the commissioner and in accordance with the general statutes.

Sec. 24. Subsections (b) and (c) of section 17a-77 of the general statutes are repealed and the following is substituted in lieu thereof (*Effective October 1, 2016*):

(b) The court hearing the matter shall require a sworn certificate from at least two impartial physicians selected by the court, one of whom shall be a physician specializing in psychiatry. Both physicians shall be licensed to practice medicine in this state and shall have practiced medicine for at least one year. All appointments shall be made in accordance with procedures adopted by the Judicial Department. If such appointments have not already been made for a case transferred from the Probate Court under subsections (b) and (c) of section 17a-76, then such physicians shall be appointed as soon as reasonably possible by the superior court to which such matter has been transferred. Each physician shall make a report on a separate form adopted for such purpose by the Probate Court Administrator or the Superior Court. The certificates shall include a statement from each physician that he or she has personally examined such child within ten days of the hearing. The charges for such physicians shall be established by the Judicial Department and shall be paid in accordance with section 17a-82.

(c) If the child refuses to be examined by the court appointed physicians as herein provided, the court may issue a warrant for the

Senate Bill No. 185

apprehension of the child and a police officer for the town in which such court is located or if there is no such police officer then the state police shall deliver the child to a general hospital where [he] the child shall be examined by two physicians one of whom shall be a psychiatrist, in accordance with subsection (b) of this section. If, as a result of such examination, the child is committed under subsection (e) of this section, transportation of the child to any such hospital shall be in accordance with said subsection (e). If the child is not committed under subsection (e) of this section, he or she shall be released and the reports of such physicians shall be sent to the Court of Probate to satisfy the requirement of examination of two physicians under subsection (b) of this section.

Sec. 25. Section 17a-92 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2016*):

Effective at 12:01 a.m., April 1, 1975, the Commissioner of Children and Families shall assume, and the Commissioner of Social Services shall cease to have guardianship, as defined in subsection (a) of section 17a-90, over all children who on that date, by virtue of any order of the Juvenile Court or Superior Court, are wards of or committed to the state of Connecticut or the Commissioner of Social Services. The Commissioner of Children and Families shall thereupon assume all liability and responsibility for such children, and exercise such powers, duties and functions regarding such children, as the Commissioner of Social Services in his or her capacity as guardian may now or hereafter have, except to the extent that the federal government may require that any responsibility for children be retained by the Commissioner of Social Services as a prerequisite to federal reimbursement of state expenditures for such children under Title IV-A and B of the Social Security Act. The Commissioner of Children and Families may delegate any power, duty or function regarding such children, except for consent for adoption, marriage and joining of the armed services

Senate Bill No. 185

and except to the extent that the federal government may require that any responsibility for children be retained by said commissioner as a prerequisite to federal reimbursement of state expenditures for such children.

Sec. 26. Subdivision (5) of section 17a-93 of the 2016 supplement to the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2016*):

(5) "Termination of parental rights" means the complete severance by court order of the legal relationship, with all its rights and responsibilities, between the child and [his] the child's parent or parents so that the child is free for adoption except it shall not affect the right of inheritance of such child or the religious affiliation of such child;

Sec. 27. Section 17a-94 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2016*):

The Commissioner of Children and Families may establish, maintain and operate, throughout the state, at such locations as [he] the commissioner finds suitable, receiving homes for children in his or her guardianship or care. For such purposes [he] the commissioner may purchase, lease, hold, sell or convey real and personal property, subject to the provisions of section 4b-21, and contract for the operation and maintenance of such receiving homes with any nonprofit group or organization. Said contract may include administrative, managerial and custodial services. The expense of obtaining and maintaining the same shall be paid out of the appropriation for the Department of Children and Families. The commissioner may, subject to the provisions of chapter 67, appoint such supervisory and other personnel as [he] the commissioner finds necessary for the management of such homes. The maximum charge to be made for care of children in such homes shall be the same as the

Senate Bill No. 185

charge for care of patients in state humane institutions.

Sec. 28. Section 17a-96 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2016*):

The institutions having custody of such children and the agencies and persons licensed by authority of sections 17a-90 to 17a-124, inclusive, 17a-145 to 17a-153, inclusive, 17a-175 to 17a-182, inclusive, and 17a-185 shall make such reports to the Commissioner of Children and Families at such reasonable times and in such form and covering such data as the commissioner directs. The commissioner and [his] the commissioner's deputy and agents shall supervise the placing of such children in foster homes. The commissioner may place children who have not been properly placed in homes suitable for their care and protection. In placing any child in a foster home, the commissioner shall, if practicable, select a home of like religious faith to that of the parent or parents of such child, if such faith is known or ascertainable by the exercise of reasonable care.

Sec. 29. Section 17a-99 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2016*):

The Commissioner of Children and Families may delegate to [his] a deputy commissioner [his] the commissioner's authority as guardian of children committed to [him] the commissioner by the Superior Court, or whose guardianship is transferred to [him] the commissioner by a court of probate, and the signature of either official on any document pertaining to any such guardianship shall be valid.

Sec. 30. Section 17a-103 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2016*):

(a) Any mandated reporter acting outside his or her professional capacity and any other person having reasonable cause to suspect or believe that any child under the age of eighteen is in danger of being

Senate Bill No. 185

abused, or has been abused or neglected, as defined in section 46b-120, may cause a written or oral report to be made to the Commissioner of Children and Families or [his] the commissioner's representative or a law enforcement agency. The Commissioner of Children and Families or [his] the commissioner's representative shall use his or her best efforts to obtain the name and address of a person who causes a report to be made pursuant to this section. In the case of an oral report, such report shall be recorded on tape and the commissioner or [his] the commissioner's representative shall announce to the person making such report that such report is being recorded and shall state the penalty for knowingly making a false report of child abuse or neglect under subsection (d) of section 17a-101e.

(b) Notwithstanding the provisions of section 17a-101k, if the identity of any such person who made a report pursuant to subsection (a) of this section is known, and the commissioner or [his] the commissioner's representative suspects or knows that such person has knowingly made a false report, such identity shall be disclosed to the appropriate law enforcement agency and to the perpetrator of the alleged abuse.

(c) If the Commissioner of Children and Families, or [his] the commissioner's designee, receives a report alleging sexual abuse or serious physical abuse, including, but not limited to, a report that: (1) A child has died; (2) a child has been sexually assaulted; (3) a child has suffered brain damage, loss or serious impairment of a bodily function or organ; (4) a child has been sexually exploited; or (5) a child has suffered serious nonaccidental physical injury, he or she shall, within twenty-four hours of receipt of such report, notify the appropriate law enforcement agency.

Sec. 31. Section 17a-106a of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2016*):

Senate Bill No. 185

(a) The Commissioner of Children and Families, as department head of the lead agency, and the appropriate state's attorney may establish multidisciplinary teams for the purpose of reviewing particular cases or particular types of cases or to coordinate the prevention, intervention and treatment in each judicial district or to review selected cases of child abuse or neglect or cases involving the trafficking, as defined in section 46a-170, of minor children. The purpose of such multidisciplinary teams is to advance and coordinate the prompt investigation of suspected cases of child abuse or neglect, to reduce the trauma of any child victim and to ensure the protection and treatment of the child. The head of the local law enforcement agency or his or her designee may request the assistance of the Division of State Police within the Department of Emergency Services and Public Protection for such purposes.

(b) Each multidisciplinary team shall consist of at least one representative of each of the following: (1) The state's attorney of the judicial district of the team, or [his] such state's attorney's designee; (2) the Commissioner of Children and Families, or [his] the commissioner's designee; (3) the head of the local or state law enforcement agencies, or his or her designee; (4) a health care professional with substantial experience in the diagnosis and treatment of abused or neglected children, who shall be designated by the team members; (5) a member, where appropriate, of a youth service bureau; (6) a mental health professional with substantial experience in the treatment of abused or neglected children, who shall be designated by the team members; and (7) any other appropriate individual with expertise in the welfare of children that the members of the team deem necessary. Each team shall select a chairperson. A team may invite experts to participate in the review of any case and may invite any other individual with particular information germane to the case to participate in such review, provided the expert or individual shall have the same protection and obligations under subsections (f) and (g)

Senate Bill No. 185

of this section as members of the team.

(c) The Governor's task force for justice for abused children, through the subcommittee comprised of individuals with expertise in the investigation of child abuse and neglect, shall: (1) Establish and modify standards to be observed by multidisciplinary teams; (2) review protocols of the multidisciplinary teams; and (3) monitor and evaluate multidisciplinary teams and make recommendations for modifications to the system of multidisciplinary teams.

(d) All criminal investigative work of the multidisciplinary teams shall be undertaken by members of the team who are law enforcement officers and all child protection investigative work of the teams shall be undertaken by members of the team who represent the Department of Children and Families, provided representatives of the department may coordinate all investigative work and rely upon information generated by the team. The protocols, procedures and standards of the multidisciplinary teams shall not supersede the protocols, procedures and standards of the agencies who are on the multidisciplinary team.

(e) Each multidisciplinary team shall have access to and may copy any record, transcript, document, photograph or other data pertaining to an alleged child victim within the possession of the Department of Children and Families, any public or private medical facility or any public or private health professional provided, in the case of confidential information, the coordinator of the team, or [his] such coordinator's designee, identifies the record in writing and certifies, under oath, that the record sought is necessary to investigate child abuse or neglect and that the team will maintain the record as confidential. No person who provides access to or copies of such record upon delivery of certification under this section shall be liable to any third party for such action. The multidisciplinary team shall not be deemed to be a public agency under the Freedom of Information Act.

Senate Bill No. 185

(f) No person shall disclose information obtained from a meeting of the multidisciplinary team without the consent of the participant of the meeting who provided such information unless disclosure is ordered by a court of competent jurisdiction or is necessary to comply with the provisions of the Constitution of the state of Connecticut.

(g) Each multidisciplinary team shall maintain records of meetings that include, but are not limited to, the name of the alleged victim and perpetrator, the names of the members of the multidisciplinary team and their positions, the decision or recommendation of the team and support services provided. In any proceeding to gain access to such records or testimony concerning matters discussed at a meeting, the privileges from disclosure applicable to the information provided by each of the participants at the meeting shall apply to all participants.

Sec. 32. Section 17a-114a of the 2016 supplement to the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2016*):

A person licensed pursuant to section 17a-114 shall be liable for any act or omission resulting in personal injury to a child placed in his or her care by the Commissioner of Children and Families to the same extent as a biological parent is liable for any act or omission resulting in personal injury to a biological child in his or her care.

Sec. 33. Subsection (a) of section 17a-120 of the 2016 supplement to the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2016*):

(a) Any child who is blind or physically disabled as defined by section 1-1f, mentally disabled, seriously emotionally maladjusted or has a recognized high risk of physical or mental disability as defined in the regulations adopted by the Commissioner of Children and Families pursuant to section 17a-118, who is to be given or has been given in

Senate Bill No. 185

adoption by a statutory parent, as defined in section 45a-707, shall be eligible for a one hundred per cent medical expense subsidy in accordance with the fee schedule and payment procedures under the state Medicaid program administered by the Department of Social Services where such condition existed prior to such adoption, provided such expenses are not reimbursed by health insurance, or federal or state payments for health care. Application for such subsidy shall be made to the Commissioner of Children and Families by such child's adopting or adoptive parent or parents. Said commissioner shall adopt regulations governing the procedures for application and criteria for determination of the existence of such condition. A written determination of eligibility shall be made by said commissioner and may be made prior to or after identification of the adopting parent or parents. Upon a finding of eligibility, an application for such medical expense subsidy by the adopting or adoptive parent or parents on behalf of the child shall be granted, and such adopting or adoptive parent or parents shall be issued a medical identification card for such child by the Department of Children and Families for the purpose of providing for payment for the medical expense subsidy. The subsidy set forth in this section shall not preclude the granting of either subsidy set forth in section 17a-117, as amended by this act, except, if the child is eligible for subsidy under this section, [his] the child's adopting parent or parents shall not be granted a subsidy or subsidies set forth in section 17a-117, as amended by this act, that would be granted for the same purposes as the child's subsidy.

Sec. 34. Section 17a-121 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2016*):

Nothing in sections 17a-116 to 17a-120, inclusive, as amended by this act, as amended by public act 86-330, shall affect any subsidy granted under the provisions of sections 17a-116, 17a-117, as amended by this act, 17a-118, 17a-119 and 17a-120, as amended by this act, prior

Senate Bill No. 185

to April 1, 1987, except that any adopting parent may apply for an increase in such subsidy in accordance with the provisions of this section. All subsidies granted on and after April 1, 1987, under said sections, shall be subject to the review provisions of sections 17a-118 and 17a-120, as amended by this act. Any adopting parent who received a subsidy under said sections, prior to April 1, 1987, may apply to have said subsidy increased or modified in accordance with the provisions of said sections as amended by public act 86-330. The Commissioner of Children and Families shall notify such adopting parent of the provisions of sections 17a-116 to 17a-120, inclusive, as amended by this act, as amended by said public act and of his or her right to seek an increase in such subsidy in accordance with said sections.

Sec. 35. Section 17a-149 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2016*):

No person or entity except a parent, an adult relative as specified by section 17b-75 or guardian of any child shall place a child without a license obtained from the Commissioner of Children and Families. Application for a child-placing license shall be in a form furnished by the commissioner, and shall state the location of the principal place of business of the applicant, its organization or corporate name, its purposes and the name, title and degree of professional training of each of its staff members engaged in carrying out its stated purposes. Any such applicant shall consent to such inspection, review and supervision of all acts in relation to child placing as are reasonably necessary to enable the commissioner to perform his or her duties under section 17a-151. The provisions of this section with regard to the commissioner's authority to inspect, review and supervise all acts in relation to child placing under section 17a-151 shall be limited to inspection, review and supervision of the applicant under this section and shall not include inspection, review or supervision of the homes in

Senate Bill No. 185

which a child is placed.

Sec. 36. Section 17a-178 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2016*):

(a) As used in Article III of section 17a-175, "appropriate public authorities", with reference to this state, means the Commissioner of Children and Families or [his] the commissioner's designee and said commissioner shall receive and act with reference to notices required by said Article III.

(b) As used in Article V(a) of section 17a-175, "appropriate authority in the receiving state", with reference to this state, means the Commissioner of Children and Families or [his] the commissioner's designee.

Approved May 17, 2016